

REMARKS

Double Patenting Rejection:

Claims 1 and 2 were rejected as double patenting in view of Patent 6,374,551.
An appropriate Terminal Disclaimer is filed herewith, overcoming the double patenting rejection.

Allowable Subject Matter:

Claims 5 to 8, 13 to 16, 21 to 24 and 28 contain allowable subject matter.
The Applicant reserve the right to place claims 5, 6, 13, 14, 21, and 22, thus placing claims 5 to 8, 13 to 16, 21 to 24 and 28 in condition for allowance.

Section 102 Rejections:

Claims 1 to 4, 9 to 12, 17 to 20, 25 to 27, and 29 to 36 were rejected as being anticipated by MAGRO.

(a) The Presently Claimed Invention:

The presently claimed invention sets forth a system that resists **in-plane** shear. IE: the present invention is configured to resist shear stresses in the **plane of the garage door**.

Specifically, independent claims 1, 9 and 17 set forth:

.... a movable panel adapted to move between a non-shear force transmitting position with said opening substantially open and a **shear force transmitting position** with said opening substantially closed,

..... at least one panel-restraining device, configured to **substantially restrain and secure** said movable panel **in said shear force transmitting position** when a force is

applied to the frame; and

said movable panel and said channel member connected to said opening and being **configured to provide a substantially continuous load path** when said movable panel is disposed **in said shear force transmitting position**. [Emphasis added]

(b) The Magro System:

The Magro system describes a door made up of a series of thin, interlinking metal strips or slats that interlock forming a loose hinge, allowing the door to be rolled up.

(c) The Magro System Distinguished:

The Magro system can only withstand out-of-plane tension loads, i.e. to prevent wind loads from blowing the door into the building. Specifically, if one constructs a simple force diagram, it will be seen that if the wall opening deflects into a parallelogram shape from the application of in-plane shear forces. Thus, the hook assembly 48 will merely rotate with respect to the channel 24, and the individual slat will slide relative to its adjacent slat.

Fig. 6A clearly shows that the hook and assembly 48 and 48b are totally unrestrained except for tension loads on the individual slat to which they are connected. By definition, no shear or bending can be transmitted by an unrestrained joint. (i.e. Only tension and compression can be transmitted by an unrestrained joint). Therefore, no shear forces (i.e. forces in the **plane** of the door) will be transmitted to the door panel, in contrast to the present invention. For the door panel to transmit shear, it must become a solid shear membrane when closed, i.e. restrained in all shear planes so it cannot move relative to the wall. Furthermore, hooks 48 and 48b are clearly shown to engage only when the door panel is deflected inward by force F (Fig 6a). Also note that the assemblage of angles shown in Magro's Figs 3, 4, and 5 are oriented 90 degrees from the shear resisting channels and header lock (as compared to the present invention). Also, forces "F" shown in Fig. 6A, are likewise 90 degrees to the

shear forces on the door which would result from shear loads on the wall adjacent to the door opening. Consequently, Magro has no ability to resist shear forces and, as a simple force diagram will show, has no structure or devices capable of resisting said forces.

As such, the independent claims 1, 9 and 17 and all claims depending therefrom, are believed to be allowable.

In view of the foregoing, withdrawal of the present anticipation rejections is respectfully requested.

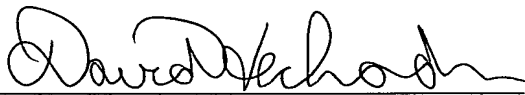
Conclusion:

For the reasons presented above, all claims are believed to be in condition for allowance. A Notice of Allowance is therefore respectfully requested.

Should the Examiner feel that a telephone conference would advance prosecution of the present application, he is invited to call the undersigned attorney at the number listed below.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: 
David R. Heckadon
Registration No. 50,184

P.O. Box 1404
Alexandria, Virginia 22313-1404
(650) 622-2300

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